

**COMBINED DECLARATION AND POWER OF ATTORNEY  
IN ORIGINAL APPLICATION**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; that I verily believe that I am the original, first and sole inventor (if only one name is listed below) or joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought, entitled:

IMPROVED TRACKING, PROPULSION AND BRAKING SYSTEM FOR  
BRIDGE TRIPPER/HOPPER CAR

the specification of which:

(check one)

is attached hereto.

was filed on \_\_\_\_\_ as

Application Serial No. \_\_\_\_\_

and was amended on \_\_\_\_\_

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

Foreign application(s), if any, for Patent or Inventor's Certificate Filed Within 12 Months Prior to the Filing Date of This Application:

Country	Application No.	Date of Filing (day, month, year)	Priority Claimed Under 35 U.S.C. 119
			Yes _____ No _____
			Yes _____ No _____
			Yes _____ No _____
			Yes _____ No _____
			Yes _____ No _____
			Yes _____ No _____

All Foreign Applications, if any, for Patent or Inventor's Certificate Filed More Than 12 Months Prior to the Filing Date of This Application:

Country	Application No.	Date of Filing

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in a manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)	(Filing Date)	(Status) (patented, pending, abandoned)

I hereby appoint the following attorney(s) and agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

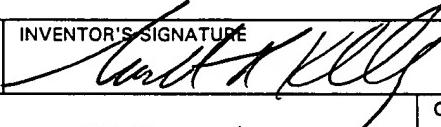
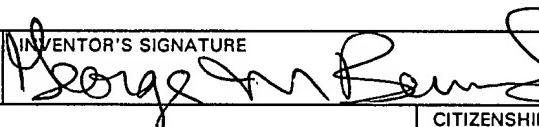
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both (18 U.S.C. 1001) and may jeopardize the validity of the application or any patent issued thereon.

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RESIDENCE	CITIZENSHIP	
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## VERIFIED STATEMENT (DECLARATION)

### CLAIMING SMALL ENTITY STATUS

Inventor(s): Ronald R. Kelly et al.

Title: IMPROVED TRACKING, PROPULSION  
AND BRAKING SYSTEM FOR  
BRIDGE TRIPPER/HOPPER CAR

Attorney's  
Docket No.: TER2-BD91

EXPRESS MAIL LABEL NO. EL063611370US

DATE OF DEPOSIT: August 7, 1998

Applicant or Patentee: RONALD R. KELLY and GEORGE M. BERNARD  
Serial or Patent No.: \_\_\_\_\_  
Filed or Issued: \_\_\_\_\_  
For: IMPROVED TRACKING, PROPULSION AND BRAKING SYSTEM FOR BRIDGE TRIPPER/HOPPER CAR

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY  
STATUS (37 CFR 1.9(f) and 1.27(b)) — INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled IMPROVED TRACKING, PROPULSION AND BRAKING SYSTEM FOR BRIDGE TRIPPER/HOPPER CAR described in

the specification filed herewith

application serial no. \_\_\_\_\_, filed \_\_\_\_\_  
 patent no. \_\_\_\_\_, issued \_\_\_\_\_

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant convey, or license any rights in the invention is listed below:

- no such person, concern, or organization  
 persons, concerns or organizations listed below\*

\*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

FULL NAME \_\_\_\_\_  
ADDRESS \_\_\_\_\_

INDIVIDUAL

SMALL BUSINESS CONCERN

NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Ronald R. Kelly  
NAME OF INVENTOR

Signature of Inventor

Aug 5, 1998

Date

George M. Bernard  
NAME OF INVENTOR

George M. Bernard

Aug 6, 1998

Date

NAME OF INVENTOR

Signature of Inventor

Date